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SUBJECT: IRISH RESPONSE TO FSC/ETI DISPUTE

WILSON-EU TRADE OFFICERS FAX OF 1/20/05

REF: STATE 11149

1. On January 20, Post delivered ref a talking points and ref b letter to Frank Doheny, Assistant Principal in the Department of Enterprise, Trade, and Employment (DETE) Multilateral Trade Division. Doheny noted that Tony Joyce, DETE Senior Trade Negotiator and Ireland Titulaire, had raised in the January 19 133 meeting Ireland's concerns about the automaticity provisions in the Commission's proposed Regulation suspending EU FSC/ETI retaliatory duties. Joyce planned to reiterate these concerns more forcefully in the January 21 133 Titulaires' discussion. These concerns, explained Doheny, centered on the likely negative effect that the automaticity provisions would have on U.S.-EU trade relations. Econoff asked whether support was sufficient among the Member States for a qualified minority to block inclusion of the automaticity provisions in the Commission's Regulation. Doheny replied that the Irish were unsure of this possibility, since not enough Member States had spoken up at the 133 meeting against the provisions. He observed that the automaticity debate was likely to play out over a matter of months. He also said he presumed that EU Ambassador to the United States (and former Irish Prime Minister) John Bruton had been in touch with EU Trade Commissioner Mandelson on sensitivities in the U.S. Congress concerning the automaticity trigger in the EU Regulation.

KENNY